

1 **R307. Environmental Quality, Air Quality.**

2 **R307-325. [~~Davis and Salt Lake Counties and~~]Ozone**
3 **Nonattainment and Maintenance Areas: General**
4 **Requirements[Ozone Provisions].**

5 **R307-325-1. Purpose.**

6 Establish general requirements for control of volatile
7 organic compounds (VOCs) in Nonattainment and Maintenance
8 Areas.

9
10 **R307-325-2. Applicability.**

11 R307-325 applies to all sources located in any
12 nonattainment or maintenance area for ozone.

13
14 **R307-325-[1]3. Definition[s][~~, Applicability~~]and General**
15 **Requirement[s].**

16 [~~(1) R307-325 applies to all sources in R307-326~~
17 ~~through 341, major sources as defined and outlined in~~
18 ~~section 182 of the Clean Air Act and non major sources~~
19 ~~located in Davis and Salt Lake Counties and in any~~
20 ~~nonattainment area for ozone as defined in the State~~
21 ~~Implementation Plan. For permitting of any new source or~~
22 ~~modification of any existing source, see R307-401; for~~
23 ~~operating permits, see R307-415.~~

24 ~~-(2)-]No person [may permit]shall allow or cause~~
25 ~~[volatile organic compounds -(VOCs-)] to be spilled,~~
26 ~~discarded, stored in open containers, or handled in any~~
27 ~~other manner, which would result in evaporation in excess~~
28 ~~of that which would result from the application of~~
29 ~~[reasonably available control technology (RACT) (as defined~~
30 ~~in 40 CFR 51.100(e))]~~control technology that is reasonably
31 available considering technological and economic
32 feasibility.

33 [~~(3) Any person may apply to the executive secretary~~
34 ~~for approval of an alternative test method, an alternative~~
35 ~~method of control, an alternative compliance period, an~~
36 ~~alternative emission limit, or an alternative monitoring~~
37 ~~schedule. The application must include a demonstration that~~
38 ~~the proposed alternative produces an equal or greater air~~
39 ~~quality benefit than those required by R307-325 through~~
40 ~~341, or that the alternative test method is equivalent to~~
41 ~~that required by these regulations. The executive secretary~~
42 ~~shall obtain concurrence from EPA when approving an~~
43 ~~alternative test method, an alternative method of control,~~
44 ~~an alternative compliance period, an alternative emission~~
45 ~~limit, or an alternative monitoring schedule.~~

46 ~~(4) Manufacturer's operational specifications,~~
47 ~~records, and testings of any control system shall use the~~

1 ~~applicable EPA Reference Methods of 40 CFR Part 60, the~~
2 ~~most recent EPA test methods, or EPA approved state~~
3 ~~methods, to determine the efficiency of the control device.~~
4 ~~In addition, any control device must meet the applicable~~
5 ~~requirements, (including record keeping) of R307-340-2 and~~
6 ~~13. A record of all tests, monitoring, and inspections~~
7 ~~required by R307-325 through 341 shall be maintained by the~~
8 ~~owner or operator for a minimum of 2 years and shall be~~
9 ~~made available to the executive secretary or his~~
10 ~~representative upon request. Any malfunctioning control~~
11 ~~device shall be repaired within 15 calendar days of when it~~
12 ~~was found by the owner or operator to be malfunctioning,~~
13 ~~unless otherwise approved by the executive secretary.~~

14 ~~(5) For purposes of determining compliance with~~
15 ~~emission limits, VOCs and nitrogen oxides will be measured~~
16 ~~by the test methods identified in federal regulation or~~
17 ~~approved by the executive secretary. Where such a method~~
18 ~~also inadvertently measures compounds with negligible~~
19 ~~photochemical reactivity, an owner or operator may exclude~~
20 ~~these negligibly reactive compounds when determining~~
21 ~~compliance with an emissions standard.~~

22

23 **~~R307-325-2. Existing Sources.~~**

24 ~~(1) Existing Major Sources.~~

25 ~~(a) Any source of VOCs as of June 14, 1995, for which~~
26 ~~no specific emission limitations or other control~~
27 ~~requirement has been set forth in R307-325 through 341 and~~
28 ~~which is classified as a major source as defined and~~
29 ~~outlined in section 182 of the Clean Air Act shall utilize~~
30 ~~reasonably available control technology (RACT) as defined~~
31 ~~in 40 CFR 51.100(o).~~

32 ~~(b) Existing sources of nitrogen oxides for which no~~
33 ~~specific emission limitations or other control requirement~~
34 ~~has been set forth in R307-325 through 341 and which are~~
35 ~~classified as a major source as defined and outlined in~~
36 ~~Section 182 of the federal Clean Air Act shall utilize~~
37 ~~Reasonably Available Control Technology (RACT) as outlined~~
38 ~~in R307-325 through 341 for specific source categories or~~
39 ~~as defined in 40 CFR 51.100(o). RACT determinations shall~~
40 ~~be made on a case by case basis and may, to the extent~~
41 ~~allowable by the executive secretary, be applied on a~~
42 ~~regionally averaged basis for the pertinent nonattainment~~
43 ~~area. Application of RACT to sources of oxides of nitrogen~~
44 ~~within the area of nonattainment for ozone and in Davis and~~
45 ~~Salt Lake Counties may, in some instances, have been~~
46 ~~predicated on other requirements of state or federal rule.~~
47 ~~In such instances, the executive secretary may determine~~

1 ~~that such prior application of RACT has satisfied all~~
2 ~~applicable requirements, regardless of whether or not the~~
3 ~~level of controlled emissions due to application of RACT~~
4 ~~for one purpose meet the presumptive level of RACT for~~
5 ~~another. In other instances, where RACT may also be~~
6 ~~required for reasons other than Section 182 of the Act, the~~
7 ~~executive secretary may require the most stringent level of~~
8 ~~control which satisfies RACT.~~

9 ~~(c) The uncontrolled emissions of such sources shall~~
10 ~~be based upon design capacity or maximum production rate,~~
11 ~~whichever is greater, at 8760 hours/year operation, and~~
12 ~~before add-on controls. The emissions from all emission~~
13 ~~points within the source which are not specifically~~
14 ~~regulated in R307 325 through 341, and which are not~~
15 ~~pending regulation as per Section 183 of the Clean Air Act,~~
16 ~~are combined to determine capacity.~~

17 ~~(d) Sources with potential uncontrolled emissions of~~
18 ~~VOC or nitrogen oxides in excess of the threshold for a~~
19 ~~major source outlined in Section 182 of the federal Clean~~
20 ~~Air Act, but with actual emissions of a lesser amount, may~~
21 ~~avoid the requirement to apply RACT as defined in 40 CFR~~
22 ~~51.100(o) by obtaining an enforceable approval order~~
23 ~~limiting emissions to actual rates, by restriction of~~
24 ~~production capacity or hours of operation.~~

25 ~~(2) For sources subject to specific rules which have a~~
26 ~~cutoff limit for applicability, including (1) above, once a~~
27 ~~source exceeds the cutoff limit, future operation at~~
28 ~~emission limits below the cutoff does not preclude RACT (as~~
29 ~~defined in 40 CFR 51.100(o)) requirements and rule~~
30 ~~applicability as stated in R307 401.~~

31 ~~(3) For unknown sources existing on June 14, 1995,~~
32 ~~which are major or Control Techniques Guidance applicable~~
33 ~~sources and which are found by either the State or EPA in~~
34 ~~the future, the State will expeditiously develop a specific~~
35 ~~RACT determination based on the existing Control Techniques~~
36 ~~Guidance or as defined in 40 CFR 51.100(o) for such sources~~
37 ~~within a reasonable time after their discovery and submit~~
38 ~~such determination to EPA for approval as specific SIP~~
39 ~~revisions.~~

40 ~~R307-325-3. Compliance Schedule.~~

41 ~~By September 29, 1981, 180 days after the effective~~
42 ~~date of R307 325 through 341, all sources shall be in~~
43 ~~compliance.~~

44 ~~R307-325-4. Contingency Requirement for Ozone~~ 45 ~~Nonattainment Areas and Salt Lake and Davis Counties.~~

~~—— If the Contingency Requirements for nitrogen oxides are triggered as outlined in Section IX.D.2.h(2) of the State Implementation Plan, all existing sources excluding non-commercial residential dwellings shall install either low oxides of nitrogen burner technology as described in R307-401 4(3), unless such requirement is not physically practical or cost effective, or controls resulting from application of an equivalent technology, both of which shall be determined by the executive secretary. All sources required to install new controls under R307-325-4 shall submit, within two months after the trigger date, either a schedule for installing the equipment or a request for an exemption. The required equipment shall be operational as soon as practicable or within a reasonable time agreed upon by the source and the executive secretary.~~

R307-325-4. Compliance Schedule.

All sources within any newly designated nonattainment area for ozone shall be in compliance with this rule within 180 days of the effective date of designation to nonattainment.

KEY: air pollution, emission controls, ozone, RACT

June 16, 2006

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[~~19-2-101~~]

19-2-104(1)(a)